

Message Text

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ACTION L-03

INFO OCT-01 IO-13 ADP-00 AF-10 ARA-16 EA-11 EUR-25 NEA-10

RSC-01 COA-02 EB-11 OIC-04 CIAE-00 DODE-00 PM-07 H-03

INR-10 NSAE-00 NSC-10 PA-03 PRS-01 SS-15 USIA-15

ACDA-19 AEC-11 AGR-20 CG-00 COME-00 DOTE-00 FMC-04

INT-08 JUSE-00 NSF-04 OMB-01 TRSE-00 SCI-06 CEQ-02

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TO SECSTATE WASHDC 1318

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E.O. 11652: N/A

TAGS: PBOR, UN

SUBJECT: LOS: SC. I WORKING GROUP MEETING AUGUST 16;
MORNING AND AFTERNOON

1. SUMMARY. W.G. APPROVED ARTICLES ON COMPOSITION OF ASSEMBLY AND COUNCIL, AND SETTLEMENT OF DISPUTE AND TRIBUNAL, AND APPROVED W.G. REPORT TO SUBCOMMITTEE EXCEPT FOR QUESTION OF PRESENTATION OF TEXTS. END SUMMARY.

2. WG COMPLETED CONSIDERATION OF ARTICLES DEALING WITH COMPOSITION OF ASSEMBLY AND COUNCIL VIRTUALLY WITHOUT DISCUSSION AND WITH ONLY MONOR TEXTUAL CHANGES. TURKISH REP SUGGESTED THAT COUNCIL SIZE BE INCREASED TO 54.

3. SETTLEMENT OF DISPUTES AND TRIBUNAL. PERUVIAN REP PROPOSED THAT SETTLEMENT OF DISPUTES AND TRIBUNAL PROVISION BE INCLUDED IN A SINGLE ARTICLE ENTITLED "SYSTEM UNCLASSIFIED

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FOR DISPUTES" TO WHICH WORKING GROUP AGREED SUBJECT TO U.S.

MODIFICATION THAT "THE TRIBUNAL" BE INCLUDED IN BRACKETS IN THE TITLE ALSO. NETHERLANDS MADE SEVERAL CHANGES IN U.S. DISPUTE SETTLEMENT ARTICLE TO WHICH U.S. AGREED.

4. MOST OF SESSIONS CONCERNED FINAL APPROVAL, OF WG REPORT AND MOST OF TIME WAS DEVOTED TO CONSULTATIONS AMONG INTERESTED DELEGATES OFF THE FLOOR. U.S. PROPOSED FOOTNOTE TO THE EFFECT THAT VIEW WAS EXPRESSED THAT A TRANSITION ARTICLE SHOULD BE INCLUDED. PERU OBJECTED TO THIS. AFTER NOONTIME CONSULTATIONS, AGREEMENT WAS REACHED TO INCLUDE A NEW ARTICLE ENTITLED MISCELLANEOUS PROVISIONS WITH FOOTNOTE AS PROPOSED BY U.S. PERU AND CHINE STRONGLY OBJECTED TO INCLUSION OF SOVIET PREAMBLE IN TEXT WITH OTHER ARTICLES. USSR WITH SUPPORT OF POLAND INSISTED REPORT MUST REFER TO PREAMBLE. USSR REP SAID THAT QUESTION INVOLVED RIGHTS OF STATES TO MAKE PROPOSALS AND HE COMPLAINED ABOUT SO-CALLED "THE ANTI-SOVIET ATTITUDE." HE WARNED THAT IF THOSE OBJECTING TO REFERENCE TO PREAMBLE PERSISTED, HE WOULD INSIST ON EXCLUSION OF BULK OF WORKING GROUP I REPORT. CHINA RESPONDED SAYING PREAMBLE IS NOT WITHIN MANDATE OF WORKING GROUP AND INCLUSION WILL PREJUDICE QUESTION AS TO WHETHER THERE WILL BE ONE OR MORE CONVENTIONS. WG ADJOURNED AND ISSUE WAS RESOLVED THROUGH NEGOTIATION TO EFFECT THAT PREAMBLE WOULD BE MENTIONED IN REPORT WITH ACCURATE AND WIDE-RANGING DESCRIPTION OF VARIOUS DELS' VIEWS.

5. PERU REP OBJECTED TO STATEMENT IN REPORT THAT WG CONSIDERED THERE WERE ADDITIONAL MATTERS WHICH MIGHT NEED TO DEALT WITH, INCLUDING RULES AND REGULATIONS REGARD-EXPLORATION. PERU DENIED WG HAD EVER AGREED TO THIS. U.S. REP SAID IT WAS U.S. UNDERSTANDING THAT THIS WAS CONSENSUS IN WG. A FEW DELS TRIED TO PLACATE PERU AND BRAZIL BY PROPOSING SOFTER LANGUAGE. IN FINAL COMPROMISE, REPORT READS "THAT IT WAS CONSIDERED IN WG" THAT THERE WERE A NUMBER OF ADDITIONAL MATTERS WHICH MIGHT NEED TO BE DEALT WITH, INCLUDING RULES AND REGULATIONS, ETC.

6. THIS COMPLETED FINAL CONSIDERATION OF REPORT. HOWEVER, JUST BEFORE CHAIRMAN WAS ABLE TO ANNOUNCE FINAL APPROVAL, PERU RAISED ISSUE WHICH IT HAD RAISED IN EARLIER SESSIONS, UNCLASSIFIED

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REGARDING STATUS OF THOSE ARTICLES WHICH HAD NOT RECEIVED A SECOND READING BY WG AND HAD BEEN REVIEWED BY INFORMAL DRAFTING GROUP ONLY. BRAZIL SUPPORTED PERU IN THIS.

7. U.S. REP INTERVENED TO OBJECT TO PERU'S CHARACTERIZATION OF TEXTS WHICH HAD BEEN REVIEWED BY INFORMAL GROUP, SAYING THAT INFORMAL GROUP ONLY ATTEMPTED TO REFLECT IN FAIR MANNER VIEWS EXPRESSED IN WG DISCUSSION. HE EMPHASIZED

THAT INFORMAL GROUP HAD BEEN OPEN-ENDED AND THAT ALL DELS WERE INVITED TO PARTICIPATE, AND ADDED THAT U.S. COULD NOT ALLOW THOSE WHO WILLFULLY REFUSED TO ATTEND INFORMAL GROUP TO DEPRECATE WHAT HAD BEEN A VALUABLE SERVICE TO WG.

8. USSR REP STRONGLY SUPPORTED US STATEMENT AND SAID THAT USSR WOULD HAVE TO VOTE AGAINST REPORT IF PERU PERSISTED IN UPSETTING COMPROMISE JUST REACHED WITH RESPECT TO WG'S REPORT. HE SAID THIS COULD JEOPARDIZE OPPORTUNITY FOR CONFERENCE AND THAT USSR MIGHT BE WILLING TO CONSIDER POSSIBILITY OF THERE BEING NO INTERNATIONAL MACHINERY FOR DEEP SEABED. UPON COMPLETION OF SOVIET STATEMENT CHAIRMAN ADJOURNED WG MEETING.BASSIN

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